

**IN THE U.S. DISTRICT COURT FOR MARYLAND,  
SOUTHERN DIVISION**

BEYOND SYSTEMS, INC. )  
                          )  
Plaintiff            )  
v.                    )                           Case No.PJM 08 cv 0921  
                          )  
WORLD AVENUE USA, LLC, et al )  
                          )  
Defendants            )  
\_\_\_\_\_  
                          )

**DEFENDANT WORLD AVENUE USA, LLC'S MEMORANDUM OF LAW IN  
OPPOSITION TO PLAINTIFF'S MOTION FOR PROTECTIVE ORDER AND TO  
QUASH DEPOSITION SUBPOENAS**

Defendant WORLD AVENUE USA, LLC ("WAUSA") hereby submits its Memorandum of Law in Opposition to Plaintiff BEYOND SYSTEMS, INC.'s ("BSI") Motion for Protective Order and to Quash Deposition Subpoenas [DE 396-1, 396-2] ("Motion") respecting the depositions of non-parties Michael S. Rothman ("Mr. Rothman") and Amanda Ornitz ("Ms. Ornitz") , and in support thereof, states:

1.     Non-Parties Mr. Rothman and Ms. Ornitz have filed a Motion for Protective Order and to Quash Deposition Subpoenas at DE 395-1.

2.     Separately, Plaintiff BSI has filed its own Motion for Protective Order and to Quash Deposition Subpoenas [DE 396-1, 396-2]. Rather than make any argument that requires a separate adjudication, BSI simply notes its standing to raise its Motion (see DE 396-2, pp. 1-3), and then "adopts and incorporates by reference the memorandum filed by non-parties Michael S. Rothman, Esq. and Amanda Ornitz at DE 395, and its exhibits."

3.     Defendant WAUSA has already submitted its Memorandum of Law In Opposition ("Opposition") to the virtually-identical Motion for Protective Order and to Quash

Deposition Subpoenas at DE 395. Since BSI raises no arguments supporting a protective order or quashing of the deposition subpoenas that are distinct from those already raised by Mr. Rothman and Ms. Ornitz, in the interest of judicial economy, WAUSA incorporates by reference its entire Memorandum of Law In Opposition as though set forth fully herein.

**WHEREFORE**, WORLD AVENUE USA, LLC respectfully requests the entry of an Order denying Plaintiff BEYOND SYSTEMS, INC.'s Motion for Protective Order and to Quash Deposition Subpoenas [DE 396] and for such other and further relief that this Court deems just and proper.

Dated: September 7, 2010.

Respectfully submitted,

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